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OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE  
WASHINGTON, D. C. 20301

CR  
INSTALLATIONS AND LOGISTICS

August 17, 1973

## OSD Declassification/Release Instructions on File

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Central Intelligence Agency  
Office of Legislative Counsel  
ATTN: [REDACTED]  
McLean, Va. 22067

Gentlemen:

As you know, DoD has been charged with developing the Executive Branch position on Recommendations A-2 through A-9 of the Commission on Government Procurement Report. On May 4, 1973 I forwarded for your comment a preliminary draft of the basic procurement statute which, if enacted, would be applicable to both military and civilian agencies. After considering all comments received on the May draft and the results of several meetings held with agency representatives to discuss differing viewpoints, the attached draft has been prepared.

Not all agency viewpoints have been incorporated into the attached draft, nor is it possible to achieve complete unanimity of opinion. Any comments that you have on the present draft will be considered in developing the final version to be forwarded to OMB as a proposed Executive Branch position. Agency views not incorporated into the final version will be forwarded to OMB for consideration, along with the recommended draft.

The present draft is quite similar to the Bill introduced (H. R. 9061) by Representative Holifield. It does not, however, contain any reference to the proposed Office of Federal Procurement Policy. Pending a final decision on the Executive Branch position on Recommendation A-1, the current draft substitutes such terms as "head of the agency" for "the Office of Federal Procurement Policy."

I would appreciate receiving your views by 14 September 1973.

Sincerely,

L. E. HOPKINS  
Captain, SC, USN  
Chairman, ASPR Committee

Attachment  
As Stated

3 August 1973

A BILL

To provide policies and procedures for the procurement of  
property and services by Federal agencies.

Be it enacted by the Senate and House of Representatives of The  
United States of America in Congress assembled, That this Act may be  
cited as the "Federal Procurement Act of 1973".

DEFINITIONS

SEC. 2. As used in this Act--

(1) the term "agency head" means the head and any  
assistant head of an executive agency, and may at the option of  
the head of an executive agency include the chief official of  
any principal division of the agency;

(2) the term "executive agency" means an executive  
department as defined by section 101 of title 5, United States  
Code, an independent establishment as defined by section 104  
of title 5, United States Code (except that it shall not in-  
clude the General Accounting Office), a military department  
as defined by section 102 of title 5, United States Code, a  
wholly owned Government corporation, the United States Postal  
Service, the Postal Rate Commission, and the District of  
Columbia;

(3) the term "Federal agency" means an executive agency and an establishment in the legislative or judicial branch of the Government (except the Senate, the House of Representatives, the Architect of the Capitol, and activities under his direction);

(4) the term "negotiation" means procurement without formal advertising;

(5) the term "contracts" means all types of agreements or orders for the procurement of property or services;

(6) the term "property" excludes land.

#### APPLICABILITY OF ACT

SEC. 3. Unless otherwise specifically provided herein, this Act applies to any contract of an executive agency for the procurement of--

(1) property,

(2) services, or

(3) construction, alteration, repair, or maintenance of real property.

However, it applies to contracts by or for the Department of Defense, U. S. Coast Guard and the National Aeronautics and Space Administration only when payable from appropriated funds.

#### SMALL BUSINESS POLICY

SEC. 4. It is the policy of Congress that a fair proportion of contracts be placed with small business concerns.

#### PROCUREMENT METHODS

SEC. 5. Except as otherwise authorized by law, contracts shall be made by--

- (1) small purchase procedures,
- (2) formal advertising,
- (3) competitive negotiation, or
- (4) noncompetitive negotiation, as provided by sections 6, 7, 8 and 9.

#### SMALL PURCHASE PROCEDURES

SEC. 6. Contracts not expected by the contracting officer at the time proposals are solicited to exceed an aggregate amount of \$10,000 may be negotiated by simplified small purchase procedures under regulations prescribed or authorized by the agency head. Such regulations shall include such requirements for obtaining competition as are considered appropriate. At least every three years, the Office of Management and Budget shall review the prevailing costs of labor and materials and may revise the \$10,000 figure, or any prior revision thereof, to reflect an increase or decrease by at least 10 per centum in the costs of labor and materials. At least sixty days in advance of its effective date, the Office shall report to Congress any revision of 50 per centum or more in such figure as previously revised.

FORMAL ADVERTISING

SEC. 7. (a) Contracts not negotiated under the provisions of section 6 shall be made by formal advertising when, under regulations prescribed by the agency head, the available sources, specifications, time, place of performance, property or services involved, national security interests, and other conditions are appropriate for the use of formal advertising.

(b) The specifications in invitations for bids must contain the necessary language and attachments, and must be sufficiently descriptive in language and attachments, to permit full and free competition. If the specifications in an invitation for bids do not carry the necessary descriptive language and attachments, or if those attachments are not accessible to all competent and reliable bidders, the invitation is invalid and no award may be made. However, the invitation may be restricted to bidders qualified under authorized set-aside programs.

(c) Bids shall be opened publicly at the time and place stated in the invitation. Award shall be made with reasonable promptness by giving written notice to the responsible bidder whose bid conforms to the invitation and will be the most advantageous to the United States, price and other factors considered. However, all bids may be rejected if the agency head determines that rejection is in the public interest.

COMPETITIVE NEGOTIATION

SEC. 8. (a) Except as provided by sections 6, 7 and 9, and P. L. 92-582 for Architect and Engineer services, contracts may be made by competitive negotiation as provided in this section.

(b) Except when the contract is for experimental, research or development work, or for architect-engineer or other professional services, the contracting officer shall include in the contract file a written determination setting forth his reasons for not using formal advertising.

(c) Except when rates or prices are fixed by law or regulation, proposals, including price, shall be solicited from an adequate number of qualified sources to permit reasonable competition consistent with the nature and requirements of the procurement. To the maximum extent practicable, the solicitation shall be publicized. Reasonable requests of other sources to compete shall be honored.

(d) When award is not expected by the contracting officer to be made primarily on the basis of price, the solicitation shall set forth, in order of their relative importance, the major evaluation factors expected to be considered for award.

(e) Written or oral discussions shall be conducted with all responsible offerors who submit offers within a competitive range, price and other factors considered, except that in fixed-price procurements to be awarded primarily on the basis of price, regulations, prescribed or authorized by the agency head, shall provide for the

nature and extent of oral or written discussions to be conducted with proposers to facilitate a common understanding of the requirements of the procurement.

(f) Award may be made to the responsible offeror whose proposal will be most advantageous to the United States. Upon his request, an unsuccessful offeror shall be informed of the reasons for award to another offeror.

(g) Contracts for professional services shall be made by competitive negotiation so far as practicable. The primary evaluation factors for award shall be the professional competence of proposers and the technical merits of proposals, including the cost of the construction, production, or other contract project, if any, for which the services are to be performed. The proposed fee shall not be a dominant factor and shall be significant only when proposals otherwise are approximately equivalent.

#### NONCOMPETITIVE NEGOTIATION

SEC. 9. Contracts may be made by noncompetitive negotiation when the contracting officer, before award, determines in writing, setting forth his reasons, that competition is impracticable and, when required by regulations prescribed or authorized by the agency head, the determination is approved by an agency officer, designated by or in accordance with such regulations.

COST OR PRICING DATA

SEC. 10. (a) Each contractor or subcontractor shall submit cost or pricing data and shall certify that, to the best of his knowledge and belief, the data is accurate, complete, and current as of a date agreed upon between the parties (which date shall be as close as practicable to the date of agreement on the negotiated price) prior to--

(1) award of any negotiated contract when the price is expected to exceed \$100,000;

(2) price adjustment of any contract in an amount expected to exceed \$100,000, or such lesser amount as may be prescribed by the agency head;

(3) award of any subcontract at any tier, when the contractor and each higher tier subcontractor have been required to furnish such a certificate and the price of the subcontract is expected to exceed \$100,000; or

(4) price adjustment of any subcontract, covered by paragraph (3), in an amount expected to exceed \$100,000, or such lesser amount as may be prescribed by the agency head; except when (A) the price negotiated is based on adequate price competition, established catalog or market price of commercial items sold in substantial quantities to the general public, or prices set by law or regulation; or (B) in exceptional cases, the agency head determines in writing, stating his reasons, that the requirements of this section may be waived.



(b) Each contract or contract price adjustment within subsection (a) shall provide that the price to the Government, including profit or fee, shall be adjusted to exclude any significant sum by which the price was increased because the contractor or any subcontractor within subsection (a) submitted cost or pricing data which was not accurate, complete, and current as of the date required by subsection (a).

#### CONTRACT TYPES

SEC. 11. Contracts may be of any type or combination of types which will promote the best interests of the Government except that the cost-plus-a-percentage-of-cost system of contracting shall not be used by any Federal agency.

#### FEE LIMITATIONS

SEC. 12. The fee of a cost-plus-a-fixed-fee contract for experimental, development, or research work shall not exceed 15 per centum of the estimated cost of the contract, exclusive of fee, as determined by the agency head at the time of awarding the contract. The fee of any other cost-plus-a-fixed-fee contract shall not exceed 10 per centum of such estimated cost, exclusive of fee.

#### ANTI-TRUST LAWS

SEC. 13. If an agency head considers that any bid or proposal evidences a violation of the anti-trust laws, he shall refer it to the Attorney General of the United States for appropriate action.

#### WARRANTY AGAINST CONTINGENT FEES

SEC. 14. Each contract negotiated under section 8 or 9 shall contain a warranty by the contractor that no person or selling agency has been employed or retained to solicit or secure the contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the contractor for the purpose of securing business, and that for any breach or violation of the warranty, the Government may annul the contract without liability or deduct from the contract price or consideration the full amount of the commission, percentage, brokerage, or contingent fee.

#### CARGO CONTAINER SPECIFICATIONS

SEC. 15. No contract for the carriage of Government property in other than Government-owned cargo containers shall require carriage in cargo containers of specified length, height, or width unless the Secretary of Defense determines that military requirements necessitate specification of container sizes.

#### MULTIYEAR CONTRACTS

SEC. 16. (a) An agency may make contracts providing for requirements for property or services, other than construction, alteration, or major repair of real property, for periods of not

more than five years with any appropriation, providing the appropriation is available and adequate for payment for requirements of the first fiscal year and the agency head determines that--

(1) estimated requirements over the period of the contract are reasonably firm and continuing; and

(2) such a contract will serve the best interests of the United States by encouraging effective competition or promoting economies in performance and operation.

(b) If funds are not available for continuation of performance of the contract for any fiscal year after the first fiscal year, the contract shall be canceled. The costs of cancellation may be paid from--

(1) appropriations originally available for performance of the contract;

(2) appropriations currently available for procurement of similar property or services, and not otherwise obligated; or

(3) appropriations made for those payments.

#### ADVANCE, PARTIAL, AND PROGRESS PAYMENTS

SEC. 17. (a) Any executive agency may--

(1) make advance, partial, progress, or other payments under contracts made by the agency; and

(2) insert in contract solicitations a provision limiting advance or progress payments to small business concerns.

(b) Payments made under subsection (a) may not exceed the unpaid contract price.

(c) When progress payments are made, the Government shall have title to the progress payment inventory and that title shall be paramount to all liens.

(d) Advance payments under subsection (a) may be made only upon adequate security and a determination by the agency head that to do so would be in the public interest. Such security may be in the form of a lien in favor of the Government on the property contracted for, on the balance in an account in which such payments are deposited, or on such property acquired for performance of the contract as the parties may agree. This lien shall have priority over all other liens.

#### REMISSION OF LIQUIDATED DAMAGES

SEC. 18. Upon the recommendation of the head of a Federal agency, the Comptroller General of the United States may remit all or part, as he considers just and equitable, of any liquidated damages provided by contract for delay in performing the contract.

#### ACCESS TO RECORDS

SEC. 19. (a) A Federal agency may inspect the plants and audit the books and records of a contractor under all negotiated Government contracts in excess of \$100,000 and of any subcontractor thereunder.

(b) For the purpose of evaluating the accuracy, completeness, and currency of cost or pricing data required to be submitted under section 10, any authorized representative of the executive agency who is an employee of the United States may examine the books, records, and other data of the contractor or subcontractor relating to the negotiation, pricing, or performance of the contract or subcontract, until expiration of three years after final payment of the contract or subcontract.

(c) Until expiration of three years after final payment under a contract negotiated or amended under sections 8 and 9, the Comptroller General of the United States or his representative may examine the books, records, and other data of the contractor and his subcontractors with respect to transactions relating to the contract or subcontract. This provision may be waived for any contract or subcontract with a foreign contractor or subcontractor, if the head of the Federal agency determines that waiver would be in the public interest. A written report of each waiver shall be made to Congress, except when--

(1) the Comptroller General of the United States or his designee concurs in the determination of the agency head; or

(2) the contractor or subcontractor is a foreign government or agency thereof or is precluded by the laws of a foreign country from allowing examination of his books, records, or papers.

EXTRAORDINARY CONTRACTUAL AUTHORITY

SEC. 20. (a) Except as provided in subsection (b), the President may authorize any Federal agency, under regulations prescribed by the President for the protection of the Government, to make contracts or amendments of contracts without regard to other laws relating to the making, performance, or amendment of contracts. However, a contract or amendment of contract for more than \$50,000 shall not be made under this section without approval by the agency head or by a contract adjustment or other board.

(b) This section does not authorize--

(1) use of the cost-plus-a-percentage-of-cost system of contracting;

(2) any contract in violation of existing law relating to limitation of profits;

(3) waiver of any bid, payment, performance, or other bond required by law;

(4) amendment of a contract to increase the contract price to an amount higher than the lowest rejected bid of any responsible bidder, when the contract was negotiated after rejection of bids received after formal advertising because the prices were unreasonable or not independently reached in open competition; or

(5) formalization of an informal commitment, unless it is found that at the time the commitment was made it was impracticable to use normal procurement procedures.

#### DETERMINATIONS

SEC. 21. (a) Determinations, findings and decisions provided by this Act may be made with respect to contracts individually or with respect to classes of contracts and shall be final.

(b) Each determination or decision under sections 16, 17 and 19(c) shall be based upon written findings of the officer making the determination or decision, and shall be retained as a part of the official contract file.

#### DELEGATION

SEC. 22. Each agency head may delegate any authority under this Act except authority to make determinations under section 10(a) and section 19(c) of this Act, and determinations under section 18 of of this Act with respect to contracts for more than three years.

#### ASSIGNMENT AND DELEGATION OF PROCUREMENT FUNCTIONS AND RESPONSIBILITIES

SEC. 23. To facilitate the procurement covered by this chapter by one agency for another agency, and to facilitate joint procurement by agencies--

(1) the head of an agency may, within his agency, delegate functions and assign responsibilities relating to procurement;

(2) the heads of two or more agencies may by agreement delegate procurement functions and assign procurement responsibilities from one agency to another of those agencies or to an officer or civilian employee of another of those agencies; and

(3) the heads of two or more agencies may create joint or combined offices to exercise procurement functions and responsibilities.

#### ALLOCATION OF APPROPRIATIONS

SEC. 24. (a) Appropriations available for procurement by an executive agency may, through administrative allotment, be made available for obligation for procurement by any other agency in amounts authorized by the head of the allotting agency and without transfer of funds on the books of the Department of the Treasury.

(b) A disbursing officer of the allotting agency may make any disbursement chargeable to an allotment under subsection (a) upon a voucher certified by an officer or civilian employee of the procuring agency.

#### AMENDMENTS

SEC. 25. (a) The Agriculture Department Appropriation Act, 1923, is amended by striking out " , after due advertising and on competitive bids," in the first proviso on the page at 42 Stat. 417 (7 U.S.C. 416).



(b) Sections 101(d) and 104 of the Department of Agriculture Organic Act of 1944 (58 Stat. 734, 736; 7 U.S.C. 430, 432) are amended by striking out "in the open market."

(c) Reserved.

(d) Section 2356(b) of title 10, United States Code, is amended by striking out the last sentence.

(e) Sections 4504 and 9504 of title 10, United States Code, are each amended by striking out everything after "United States" and inserting in lieu thereof a period.

(f) Sections 4505 and 9505 of title 10, United States Code, are each amended by striking out the second sentence.

(g) Clause (2) of section 502(c) of the Act of August 10, 1948 (62 Stat. 1283; 12 U.S.C. 1701c(b)(2)) is amended by striking out ", without regard to section 3709 of the Revised Statutes".

(h) Section 502(c) of the Act of December 31, 1970 (84 Stat. 1784; 12 U.S.C. 1701z-2(e)) is amended by striking out ", without regard to section 3709 of the Revised Statutes,".

(i) Section 708(b) of the Act of June 27, 1934 (62 Stat. 1279; 12 U.S.C. 1747g(h)) is amended by striking out the proviso at the end.

(j) Section 208(b) of the Act of June 26, 1934 (84 Stat. 1013; 12 U.S.C. 1788(b)) is amended by striking out the last sentence.

(k) Clause (4) of section 2(b) of the Act of July 18, 1958 (72 Stat. 385; 15 U.S.C. 634(b)(4)) is amended by striking out: "Section 3709 of the Revised Statutes shall not be construed to apply to any contract of hazard insurance or to any purchase or contract for services or supplies on account of property obtained by the Administration or as a result of loans made under this chapter if the premium therefor or the amount thereof does not exceed \$1,000."

(l) Section 3 of the Act of April 24, 1950 (64 Stat. 83; 16 U.S.C. 580c) is amended to read as follows:

"SEC. 3. The Forest Service is authorized to make purchases of (1) materials to be tested or upon which experiments are to be made or (2) special devices, test models, or parts thereof, to be used (A) for experimentation to determine their suitability for or adaptability to accomplishment of the work for which designed or (B) in the designing or developing of new equipment except that not to exceed \$50,000 may be expended in any one fiscal year pursuant to this authority and not to exceed \$10,000 on any one item or purchase."

(m) Section 9 of the Tennessee Valley Authority Act of 1933 (48 Stat. 63; 16 U.S.C. 831h) is amended by striking out the first paragraph of subsection (b).

(n) Section 2(b)(1) of the Act entitled "An Act to authorize the construction of a National Fisheries Center and

Aquarium in the District of Columbia and to provide for its operation", approved October 9, 1962 (76 Stat. 753; 16 U.S.C. 1052), is amended by striking out ", without regard to the provisions of section 3709 of the Revised Statutes of the United States,".

(o) Subsections 2(a)(1) and 2(b)(1) of the Act of July 26, 1954 (79 Stat. 44; 20 U.S.C. 331a(a)(1), (b)(1)) are amended by striking out "and section 3709 of the Revised Statutes."

(p) Section 224(a) of the Act of November 8, 1965 (79 Stat. 1228; 20 U.S.C. 1034(a)) is amended by striking out ", and without regard to section 3709 of the Revised States,".

(q) Section 408(a) of the Act of November 8, 1965 (79 Stat. 1235; 20 U.S.C. 1068(a)) is amended by striking out "(without regard to section 3709 of the Revised Statutes)".

(r) Section 8 of the Act of December 20, 1945 (59 Stat. 621; 22 U.S.C. 287e) is amended by striking out "; all without regard to section 3709 of the Revised Statutes".

(s) Section 707 of the Act of August 13, 1946 (60 Stat. 1019; 22 U.S.C. 1047) is amended by striking out ", without regard to section 3709 of the Revised Statutes".

(t) Section 22(e)(7) of the Act of December 29, 1970 (84 Stat. 1612; 29 U.S.C. 671(e)(7)) is amended by striking

out ", and without regard to section 3709 of the Revised Statutes, or any other provision of law relating to competitive bidding."

(u) Section 6(b) of the Act of August 3, 1954 (68 Stat. 1010; 30 U.S.C. 556(b)) is amended by striking out "and without regard to the provisions of section 3709 of the Revised Statutes".

(v) Section 1820(b) of title 38, United States Code, is amended by striking out "section 3709 of the Revised Statutes" and inserting in lieu thereof "the Federal Procurement Act of 1973", and by deleting "if the amount of such contract exceeds \$1,000.".

(w) Section 5002 of title 38, United States Code, is amended by substituting a period for the comma after "work" and striking out the remainder of the section.

(x) Section 3 of the Act of October 10, 1940 (54 Stat. 1111; 41 U.S.C. 6b(a), (c)) is amended by striking out subsection (c) and striking out "without regard to the provisions of section 3709 of the Revised Statutes" in subsection (a).

(y) Section 12 of the Act of June 30, 1936 (49 Stat. 2036, renumbered 66 Stat. 308; 41 U.S.C. 45) is amended to read as follows:

"SEC. 12. The provisions of this Act requiring the inclusion of representations with respect to minimum wages shall apply only to purchases or contracts relating to such industries as have been the subject matter of a determination by the Secretary of Labor."

(z) Section 356(b) of the Act of July 1, 1944 (82 Stat. 1174; 42 U.S.C. 263d(b)) is amended by striking out "and section 3709 of the Revised Statutes" in clause (3), and "(by negotiation or otherwise)" in clause (4).

(aa) Section 1(b) of the Act of October 14, 1940 (54 Stat. 1125; 42 U.S.C. 1521(b)) is amended by striking out "Section 3709 of the Revised Statutes," in the first parenthetical phrase, and by striking out the first proviso.

(bb) Section 202(b) of the Act of October 14, 1940 (55 Stat. 362; 42 U.S.C. 1532(b)) is amended by striking out "section 3709 of the Revised Statutes".

(cc) Section 309 of the Act of September 1, 1951 (65 Stat. 307; 42 U.S.C. 1592h) is amended by striking out clause (a), and amending clause (b) to read as follows:

"(b) the fixed-fee under a contract on a cost-plus-a-fixed-fee basis shall not exceed 6 per centum of the estimated cost;"

(dd) Section 104(a) of the Act of July 14, 1955 (81 Stat. 487; 42 U.S.C. 1857b-1(a)) is amended by striking out "and section 3709 of the Revised Statutes" from paragraph (2).

(ee) Section 31(c) of the Atomic Energy Act of 1954 (68 Stat. 927; 42 U.S.C. 2051(c)) is amended to read as follows:

"(c) The Commission may make available for use in connection with arrangements made under this section such of its equipment and facilities as it may deem desirable."

(ff) Section 41(b) of the Atomic Energy Act of 1954 (68 Stat. 928; 42 U.S.C. 2061(b)) is amended by striking out the last two sentences.

(gg) Section 43 of the Atomic Energy Act of 1954 (68 Stat. 929; 42 U.S.C. 2063) is amended by striking out the following:

"without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable. Partial and advance payments may be made under contracts for such purposes."

(hh) Section 55 of the Atomic Energy Act of 1954 (68 Stat. 931; 42 U.S.C. 2075) is amended by striking out the second and third sentences.

(ii) Section 66 of the Atomic Energy Act of 1954 (68 Stat. 933; 42 U.S.C. 2096) is amended by striking out the following:

"Any purchase made under this section may be made without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable. Partial and advance payments may be made under contracts for such purposes."

(jj) Section 203(e) of the Act of April 3, 1970 (84 Stat. 115; 42 U.S.C. 4372(e)), is amended by striking out "and 3709 of the Revised Statutes."

(kk) Section 703 of the Act of June 29, 1936 (49 Stat. 2008; 46 U.S.C. 1193) is amended by striking out subsection (a), by striking out "For the construction, reconstruction, or reconditioning of vessels, and" in subsection (c), and by renumbering subsections (b) and (c) as (a) and (b) respectively.

(ll) Section 8(a) of the Act of September 30, 1965 (79 Stat. 894; 49 U.S.C. 1638(a)) is amended by striking out "and section 3709 of the Revised Statutes" in paragraph (1), and by striking out paragraph (3).

REPEALS

SEC. 26. The following statutes or provisions of statutes are repealed:

Chapters 135 and 137 and sections 4535, 4540, 7212, 7522, 9535, and 9540 of title 10, United States Code; section 7 of the Act of May 18, 1938 (50 Stat. 406; 16 U.S.C. 833f); section 7 of the Act of March 3, 1875 (18 Stat. 450; 25 U.S.C. 96); section 3 of the Act of August 15, 1876 (19 Stat. 199; 25 U.S.C. 97); sections 206(d)(3) and 206(d)(10) of the Federal Property and Administrative Services Act (40 U.S.C. 474(3), (10)); sections 12(a) and 12(b) of the Act of September 9, 1959 (73 Stat. 481; 40 U.S.C. 609(a), (b)); section 1 of the Act of June 12, 1917 (40 Stat. 144; 41 U.S.C. 6a); section 101 of the Act of July 27, 1965 (79 Stat. 276; 41 U.S.C. 6a-1); section 3735 of the Revised Statutes (41 U.S.C. 8, 13); the Act of July 7, 1884 (23 Stat. 204; 41 U.S.C. 24); title III of the Federal Property and Administrative Services Act of 1949; section 10(a) of the Act of September 5, 1950 (64 Stat. 591; 41 U.S.C. 256a); section 510(a) of the Act of July 15, 1949 (63 Stat. 437; 42 U.S.C. 1480(a)); section 6(e) of the Euratom Cooperation Act of 1958 (72 Stat. 1085; 42 U.S.C. 2295(e)); section 1345 (b) of the Act of August 1, 1968 (82 Stat. 585; 42 U.S.C. 4081(b)); section 3 of the Central Intelligence Agency Act of 1949 (63 Stat. 208; 50 U.S.C. 403c); and the Act of August 28, 1958 (72 Stat. 792; 50 U.S.C. 1431-1435).